

Halogenated Solvent NESHAP (Subpart T) Q&A's

Note: While these questions and answers constitute the best available information at this time based on the information provided, the EPA recommends that you consult your State or local air pollution control agency for any final determinations. State and local agencies may implement provisions that are more stringent than those contained in the NESHAP or you may need to discuss situations that are different from those presented here.

(2/3/00, footnote added 4/25/00)

Question:

An existing facility operating a halogenated solvent cleaning machine was a major source for the purposes of subpart T as of the first compliance date for that standard, but recently removed the solvent cleaning machine subject to subpart T and replaced it with a new enclosed-technology that has a physical maximum potential to emit that is less than the major source threshold. The emissions from the solvent cleaning machine are the only hazardous air pollutant emissions at the facility and the facility is minor for criteria pollutants. Can the facility be deferred from title V permitting?

Answer:

The facility in this example can be deferred from title V permitting since the affected source subject to subpart T is a new source located at a non-major facility - the new solvent cleaning machine is a new non-major source for the purposes of subpart T.

Under 40 CFR 63.460(a) of subpart T, an affected source is identified as each individual solvent cleaning machine. Section 63.461 further describes an existing source as "any solvent cleaning machine the construction or reconstruction of which was commenced on or before November 29, 1993" and a new source as "any solvent cleaning machine the construction or reconstruction of which is commenced after November 29, 1993." Because this facility replaced all its solvent cleaning machines subject to subpart T (e.g., permanent shutdown) and constructed new solvent cleaning machines after November 29, 1993, the new machine is classified as a new source for the purposes of subpart T.

The new solvent cleaning machine in this example was also not located at a major source upon startup of the machine.¹ Therefore, the facility can be classified as a non-major source for the purposes of subpart T and can be deferred from title V permitting if title V is not otherwise triggered. However, had the new, non-major source been located at a facility that remained major after the solvent cleaning machine was replaced, then title V permitting could not be deferred in accordance with EPA's May 16, 1995 memorandum, "Potential to Emit for MACT Standards -- Guidance on Timing Issues."

¹ EPA's May 16, 1995 memorandum, "Potential to Emit for MACT Standards -- Guidance on Timing Issues," states that a new source that is major at the time of promulgation or startup, whichever is later, will remain major for purposes of that standard. In this case, the new affected source was non-major upon startup of the new solvent cleaning machine. The facility used section 63.465(e) of Subpart T to determine its potential to emit for each new individual solvent cleaning machine and then determined that its facility-wide potential to emit hazardous air pollutants was below the major source threshold (as defined in Section 63.2 of the General Provisions) upon startup of the new machines.

